

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

FILED - CLERK
U.S. DISTRICT COURT
05 MAY 17 PM 3:26
TX EASTERN - BEAUMONT

UNITED STATES OF AMERICA

V.

THOMAS ERIC GILLESPIE

§
§
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§
§

NO. 1:04-CR-88-M

BC

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
REGARDING DEFENDANT'S MOTION TO SUPPRESS EVIDENCE**

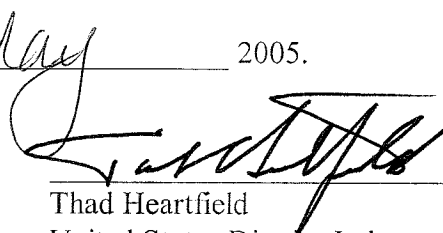
The court referred defendant's "Motion to Suppress Evidence and Statements" to United States magistrate judge Earl S. Hines for review, hearing, and submission of a report with recommended findings of fact and conclusions of law. See Docket No. 67. The magistrate judge submitted a report recommending that the court deny the motion to suppress as moot.

The court concludes that the magistrate judge correctly determined that the motion to suppress was no longer a contested issue because defendant now plans to enter a guilty plea. As a result, the motion to suppress is moot. It is therefore

ORDERED that the report and recommendation of the magistrate judge is **ADOPTED**. It is further

ORDERED that defendant's motion to suppress evidence is **DENIED** as **MOOT**.

SIGNED this 17 day of May 2005.


Thad Heartfield
United States District Judge